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Robert Bosman, Of Counsel

October 8, 2008

Via Electronic Filing

Honorable George H. Lowe
United States Magistrate Judge
United States District Court
United States Courthouse and Federal Building
100 South Clinton Street
Syracuse, New York 13261

**Re: Jamison vs. New York State Office of Mental Health
6:06-CV-00614 (DNH/GHL)**

Dear Judge Lowe:

In response to your letter of October 2, 2008, please be advised that the court is correct that the amended complaint in question is attached to the Defendant's motion to dismiss as Docket No. 41, Part 4, 13-22. As the court is aware, the Plaintiff is requesting the amended complaint be filed nunc pro tunc with a filing date of October 11, 2006. The Defendant has advised it does not oppose this request. (DKT. NO. 46)

Please be further advised that the Plaintiff's Chapter 7 bankruptcy proceeding was re-opened and converted to one under Chapter 13. An Order of the Honorable Stephen D. Gerling, Chief U.S. Bankruptcy Court Judge for the Northern District of New York filed October 2, 2008 which was signed off by the U.S. Trustee and the Chapter 7 Trustee is attached. It is the Plaintiff's contention that the Defendant's motion to dismiss is moot.

As the court noted in its correspondence of October 2, 2008, the Plaintiff filed another complaint on August 8, 2008 with this court naming as defendants the individuals responsible for the unlawful discrimination Plaintiff complains of. Jamison v. Chapman, 6:08-CV-00856-DNH-GHL. I am advised that several of the named defendants are no longer employed by the Psychiatric Center. By copy of this letter, I am requesting Ms. Munkwitz provide my office with the last known addresses for Michael Chapman, James Catanzaro, Hal Smith, and Pamela Carrier. This information is needed to effect service of process.

If the court has any questions or needs additional information, kindly advise. Thank you.

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Respectfully,

s/A.J. Bosman
A.J. Bosman


Enclosure

Copy to: Kelly L. Munkwitz, Esq.
(Via electronic filing)

Based on my finding of cause and on the consent of Defendant, Plaintiff's request for an Order authorizing the filing of his Amended Complaint *nunc pro tunc*, with a date of filing of October 11, 2006 (Dkt. No. 43, Part 1, ¶ 3), is GRANTED.

The Clerk's Office is directed to (1) redact the exhibit sticker and handwritten annotations to Paragraphs 21 and 24 of the Amended Complaint that is currently docketed as Dkt. No. 41, Part 4, at 13-22, and (2) file that redacted Amended Complaint *nunc pro tunc*, with a filing date of October 11, 2006.

SO ORDERED



George H. Lowe
U.S. Magistrate Judge

Dated: OCTOBER 9, 2008
Syracuse, New York